

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

International Fresh Produce Association, American Farm Bureau Federation, Mississippi Farm Bureau Federation, Stone County Farm Bureau, Chamber of Commerce of the United States of America, AmericanHort, Florida Fruit & Vegetable Association, North American Blueberry Council, Texas International Produce Association, U.S. Apple Association, and the State of Mississippi,

Plaintiffs,

v.

United States Department of Labor; Julie Su, Acting U.S. Secretary of Labor, *in her official capacity*; Jose Javier Rodriguez, Assistant Secretary for Employment and Training, U.S. Department of Labor, *in his official capacity*; and Jessica Looman, Administrator of the Wage & Hour Division, U.S. Department of Labor, *in her official capacity*,

Defendants.

Civ. No. 1:24cv309-HSO-BWR

MOTION FOR LEAVE TO ENLARGE BRIEFING PAGE LIMITATIONS

COME NOW Plaintiffs, International Fresh Produce Association, American Farm Bureau Federation, Mississippi Farm Bureau Federation, Stone County Farm Bureau, Chamber of Commerce of the United States of America, AmericanHort, Florida Fruit & Vegetable Association, North American Blueberry Council, Texas International Produce Association, and U.S. Apple Association (“Private Plaintiffs”), pursuant to Rule 7(b)(5) of the Local Uniform Civil Rules for the United States District Court for the Northern and Southern Districts of Mississippi, and file this their Motion for Leave to Enlarge Briefing Page Limitations and would show unto this Honorable Court as follows:

1. Private Plaintiffs intend to file a Motion for a Section 705 Stay or Preliminary Injunction.

2. Because multiple issues will be included in one Motion, Private Plaintiffs seek an enlargement on the page limitation for the original and rebuttal memorandum briefs in support of its Motion from thirty-five (35) pages, as provided in Rule 7(b)(5) of the Local Uniform Civil Rules of the United States District Court for the Northern District of Mississippi and the Southern District of Mississippi, to forty three (43) pages, requesting an additional eight (8) pages.

3. This case involves a challenge to a final Rule promulgated by the United States Department of Labor under the Administrative Procedure Act and the First Amendment.

4. Private Plaintiffs intend to seek a Section 705 stay of the Rule. Consideration of this issue warrants substantial discussion of the National Labor Relations Act, the H-2A visa program, and the Rule itself. Given the complexity of these issues, Private Plaintiffs anticipate that the combined length of their original and rebuttal memorandum briefs will exceed thirty-five (35) pages.

5. To this end, Plaintiffs request that this Honorable Court allow them eight (8) additional pages for the original and rebuttal memorandum briefs in support of its Motion, excluding the signature page and certificate of service.

6. Because Defendants have not yet made an appearance, Private Plaintiffs have not had the opportunity to confer with opposing counsel concerning whether this Motion is unopposed.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, International Fresh Produce Association, American Farm Bureau Federation, Mississippi Farm Bureau Federation, Stone County Farm Bureau, Chamber of Commerce of the United States of America, AmericanHort, Florida Fruit & Vegetable Association, North American Blueberry Council, Texas International Produce Association, and U.S. Apple Association respectfully request that this Honorable Court

grant the instant motion and allow them an additional eight (8) pages in their original and rebuttal memorandum briefs in support of their Motion for a Section 705 Stay or Preliminary Injunction.

Respectfully submitted, this 17th day of October, 2024.

Respectfully submitted,

/s/ M. Brant Pettis

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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing pleading or other paper with the Clerk of the Court using the ECF system which sent notification of such filing to all counsel of record. Additionally, I certify that I have sent a copy of the foregoing pleading or other paper via certified mail on the following:

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This the 17th day of October, 2024.

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